

DRAFT PRINCIPLES OF THE REGULATORY TECHNICAL ASSISTANCE COMMITTEE OF THE EARLY LEARNING COUNCIL

Early Learning Regulatory Standards and Enforcement Should be Consistent with These Principles

Scope

Regulation must be comprehensive – covering most out-of-home care¹.

Regulation should promote the health, safety, development and early learning of children.

Credentialing² individuals working in early learning should be considered, as the skills, knowledge, and attributes of the provider are a critical factor in the quality of care and early learning.

Philosophy

The current market-based system for financing child care, that is, one based on what parents are willing and able to pay, limits its quality³.

Regulation must be carried out in a respectful manner, one that promotes problem-solving and teamwork between Department of Early Learning (DEL) staff, early learning providers, and parents in the interest of children's well-being.

The various governmental entities that regulate early learning programs should work cooperatively to maximize effectiveness in protecting children and minimize the burdens of regulation on early learning providers.

Regulatory enforcement must be just and consistent. It must allow DEL staff to exercise professional judgment.

Regulations should be written as minimum standards, allowing flexibility in HOW early learning providers meet the intent of the standard.

How regulatory standards are enforced, including the frequency of monitoring, must be considered as carefully as the content of the standards themselves. Enforcement should include progressive steps to achieve compliance.

¹ Current exemptions for relative, friend and neighbor care should be maintained.

² Credentials are awarded to an individual based on his or her education, experience and other qualifications. In contrast, licenses apply to a facility.

³ To meet the goals of the committee, additional financial resources must be found. Specifically, the committee sees an overall substantial increase in public support for child care as an essential step in the State's responsibility for education of children.

Just as regulatory standards vary for different settings, effective strategies for ensuring compliance may vary for family child care, child care centers, and ECEAP.

Qualifications, hiring practices, training, and supervision of DEL monitoring and management staff, and those who provide legal support to them, must ensure high quality and consistent licensing practice.

Parent Involvement

Regulation must support partnership between parents and child care providers.

DEL must inform parents about the role of regulation in early learning in a variety of ways.

It must be easy for parents to access monitoring and complaint histories for individual early learning sites.

As part of child care facility license renewal and ECEAP program review, regulators should seek the input of parents whose children are enrolled.

Link to QRIS Regulation will play an integral role in the Quality Rating and Improvement System, and must adapt to be an effective foundation for this effort.

Use of Technology To increase both effectiveness and efficiency of operations, DEL must make greater use of information technology.

Tie to Research Regulations must be based on research – including both national benchmarks and standards and also systematic review of licensing and/or program review data.

Notes on Principles:

- ⊖ The committee acknowledges the reality that today, in the context of the current structure for financing child care and early learning services, regulation involves balancing the impact of rules on the quality of child care and on the supply and cost of care.
- In the context of strong support for additional parent involvement in child care, the committee notes that 1) many child care providers need education and support to engage and involve parents and 2) that parents of children in child care lead busy lives, and cannot all be expected to participate in licensing reviews.